

The Law Office of Ryan Lozar, P.C.  
305 Broadway, 10th Floor, New York, NY 10007  
Tel: (310) 867-1562; Alternate Tel: (646) 666-8262; Fax (877) 666-4456  
ryanlozar@gmail.com  
www.ryanlozar.com



AUGUST 5, 2017

Re: Rodriguez v. City of N.Y., No. 16 Civ. 744

Dear Judge Failla:

I represent Plaintiff Ernesto Rodriguez in the above-captioned civil rights action, which he brought against five Individual Defendant NYPD Officers who, inter alia, falsely arrested him on May 23, 2013. Defendants have moved for partial summary judgment.

I write now to withdraw certain claims. Mr. Rodriguez's summary judgment opposition papers, which I will file after this letter, will address the remaining claims. Those papers will re-summarize the remaining claims, but I thought that this brief letter would help making what has been withdrawn all the clearer.

Plaintiff will continue to prosecute his malicious-prosecution claims against Acosta and Rivas, and his related failure-to-intervene claims against Cruz, Guzman and Regan. Plaintiff withdraws his malicious prosecution claim against Cruz, Guzman and Regan. See Docket No. 75 at 22-25.

Plaintiff will continue to prosecute his fabrication-of-evidence/deprivation-of-fair-trial claims against Acosta and Rivas, and his related failure-to-intervene claims against Cruz, Guzman and Regan. Plaintiff withdraws his fabrication-of-evidence/fair-trial claim against Cruz, Guzman and Regan. Id. at 25-27.

Plaintiff withdraws what Defendants refer to as his "vague reference to 42 U.S.C. § 1983" claim. Id. at 27-28.

Plaintiff withdraws his John Doe NYPD Officers 1-4 claims. Id. at 28.

Thank you for your attention. Again, when the Court reads Mr. Rodriguez's summary judgment opposition papers, they will address the claims that have not been herein withdrawn. Thank you for your attention.

Sincerely,

Ryan Lozar  
Attorney for Plaintiff Ernesto Rodriguez